

Kojonup



SHIRE OF KOJONUP

AGENDA

Ordinary Council Meeting

11 June 2019

TO: THE SHIRE PRESIDENT AND COUNCILLORS

NOTICE is hereby given that a meeting of the Council will be held in the Council Chambers, Administration Building, 93 Albany Highway, Kojonup on Tuesday, 11 June 2019 commencing at 3:00pm.

Qualified Persons Advice, etc.

I certify that with respect to all advice, information or recommendation provided to the Council in or with this Agenda:

- i. The advice, information or recommendation is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation; and
- ii. Where any advice is directly given by a person who does not have the required qualifications or experience, that person has obtained and taken into account in that person's general advice the advice from an appropriately qualified or experienced person.

Your attendance is respectfully requested.

RICK MITCHELL-COLLINS
CHIEF EXECUTIVE OFFICER

7 June 2019

AGENDA FOR THE COUNCIL MEETING TO BE HELD ON 11 June 2019

TABLE OF CONTENTS

1	DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS	3
2	ATTENDANCE AND APOLOGIES	4
3	SUMMARY OF RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE	4
4	PUBLIC QUESTION TIME	4
5	PETITIONS, DEPUTATIONS AND PRESENTATIONS	4
6	APPLICATIONS FOR LEAVE OF ABSENCE	4
7	CONFIRMATION OF MINUTES	5
8	ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION	5
9	DECLARATIONS OF INTEREST	5
10	KEY PILLAR 1 – ‘PLACE’ REPORTS	6
11	KEY PILLAR 2 – ‘CONNECTED’ REPORTS	7
11.1	NATURAL RESOURCE MANAGEMENT COMMITTEE RECOMMENDATIONS AND MINUTES	7
12	KEY PILLAR 3 – ‘PERFORMANCE’ REPORTS	10
12.1	FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY (MAY 2019)	10
12.2	MONTHLY PAYMENTS LISTING	12
13	KEY PILLAR 4 – ‘PROSPERITY’ REPORTS	15
13.1	REQUEST TO VARY DEVELOPMENT APPROVAL PLAN FOR MOTEL UNITS AND PROVIDE UNIVERSAL ACCESSIBLE ACCOMMODATION UNIT.	15
14	KEY PILLAR 5 – ‘DIGITAL’ REPORTS	24
15	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	25
16	NEW BUSINESS	25
17	CONFIDENTIAL REPORTS	25
18	NEXT MEETING	25
19	CLOSURE	25
20	ATTACHMENTS (SEPARATE)	26

AGENDA

1 DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS

The Shire President shall declare the meeting open at 3.00pm and alert the meeting of the procedures for emergencies including evacuation, designated exits and muster points and draw the meeting's attention to the disclaimer below:

Disclaimer

No person should rely on or act on the basis of any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting.

The Shire of Kojonup expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any advice or information provided by a member or officer, or the content of any discussion occurring, during the course of the meeting.

Where an application for an approval, a license or the like is discussed or determined during the meeting, the Shire warns that neither the applicant, nor any other person or body, should rely upon that discussion or determination until written notice of either an approval and the conditions which relate to it, or the refusal of the application has been issued by the Shire.

Acknowledgement of Country

The Shire of Kojonup acknowledges the first nations people of Australia as the Traditional custodians of this land and in particular the Keneang people of the Noongar nation upon whose land we meet.

We pay our respect to their Elders past, present and emerging

Prayer

Gracious Father, we acknowledge you as our Maker and Judge. We ask for wisdom for our reigning monarch Queen Elisabeth. Grant to her good health and strength in the executing of her duties.

We pray for all Ministers and Cabinet members of the Australian Federal and State Government. Grant to them wisdom in the welfare of Australia, so that truth and justice is established for all Australians.

Lastly Gracious Father, we pray for ourselves. We ask that you might grant to us the ability to speak with integrity and to work with uncompromising diligence. Grant to us the wisdom to make good decisions, remembering that we are one community. Grant to us the good humour to keep things in perspective in a community that is a diverse population.

We ask that we might always be mindful of the safety and welfare of the people of Kojonup. Grant to all who serve on Public Committees the ability to listen and work together with mutual respect for one another. Bless us with the personal joy of knowing that we have done our best.

2 ATTENDANCE and APOLOGIES

Cr Ronnie Fleay	President
Cr Ned Radford	
Cr John Benn	
Cr Graeme Hobbs	
Cr Jill Mathwin	
Cr Judith Warland	

STAFF

Rick Mitchell-Collins	Chief Executive Officer
Anthony Middleton	Manager Corporate and Community Services
Lorraine Wyatt	Executive Assistant

LEAVE OF ABSENCE

Cr Ian Pedler
Cr Sandra Pedler

APOLOGIES

Phil Shephard	Planner
---------------	---------

3 SUMMARY OF RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

5 PETITIONS, DEPUTATIONS AND PRESENTATIONS

Presentation of National Medal of Australia to Members of Kojonup's Volunteer Bush Fire Brigades, Robert Sexton and Digby Stretch

The National Medal is awarded to individuals in recognition of their long and diligent service in voluntary organisations that risk their lives or safety to protect or assist the community in times of emergency or natural disaster and is Australia's most awarded civilian medal.

6 APPLICATIONS FOR LEAVE OF ABSENCE

7 **CONFIRMATION OF MINUTES**

7.1 **ORDINARY MEETING 21 MAY 2019**

Minutes of the Ordinary Council Meeting which was held on 21 May 2019 were previously circulated under separate cover and are at [Attachment 7.1.1](#)

OFFICER RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on 21 May 2019 be confirmed as a true record.

COUNCIL DECISION

/19 Moved Cr , seconded Cr

CARRIED/LOST

8 **ANNOUNCEMENTS** by the Presiding Member without discussion

9 **DECLARATIONS OF INTEREST**

10 KEY PILLAR 1 – ‘PLACE’ REPORTS

Nil

11 KEY PILLAR 2 – ‘CONNECTED’ REPORTS

11.1 NATURAL RESOURCE MANAGEMENT COMMITTEE RECOMMENDATIONS AND MINUTES

AUTHOR	Jane Kowald, NRM/Landcare Officer
DATE	Wednesday, 8 February 2019
FILE NO	GO.CNM.9
ATTACHMENT	11.1.1 – Minutes for the Natural Resource Management Committee meeting 6 December 2019.

STRATEGIC/CORPORATE IMPLICATIONS		
Community Strategic Plan 2017 – 2027 “Smart Possibilities – Kojonup 2027+”		Corporate Business Plan 2017 – 2021 “Smart Implementation – Kojonup 2021 +”
Key Pillar	Community Outcomes	Corporate Actions
KP1 – Place	1.2 Be happy, healthy, connected and inclusive community driven by the provision of high standard sport, recreation and open space facilities and programs	1.2.6 Develop environmental management plans for significant Shire Reserves (N1.2.2)

DECLARATION OF INTEREST

Nil.

SUMMARY

At its 22 October 2015 Ordinary Council Meeting Council passed the following Council Decision:

1. Establish the Kojonup Natural Resource Management (NRM) Advisory Committee to advise Council on NRM matters and projects that should be promoted or pursued utilizing the Landcare Trust funds or sourcing external funds.
2. The NRM Trust Fund Reserve to be no less than \$20,000.00 at any one time.
3. Council allocating an agreed annual amount towards NRM projects as mutually agreed and prioritised with the Kojonup NRM Advisory Committee.
4. Community Representatives on the Advisory Committee for the next two (2) years to be Graham Blacklock, Kath Mathwin and Jennifer Edgerton-Warburton.

BACKGROUND

Natural Resource Management Committee meeting dates for 2019 were suggested for council approval to forward plan for members of the Committee.

COMMENT

Dates suggested do not clash with Ordinary Council Meetings or the Story Place/Gallery Work Group. There is no scheduled February meeting as the NRM/Landcare officer will be unavailable until end of March.

COMMITTEE DECISION 48/17

That the below dates for the Natural Resource Management Committee meetings be considered by Council for adoption, subject to change if found unsuitable for the majority of Natural Resource Management Committee members:

1. *Thursday, 16 May 2019*
2. *Thursday, 15 August 2019*
3. *Thursday, 14 November 2019*

CARRIED

CONSULTATION

Members of the Natural Resource Management Committee

STATUTORY REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

Nil

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION

That Council:

1. *Receive the Natural Resource Management Committee minutes for the meeting held 6 December 2018; and*
2. *Adopt the Natural Resource Management Committee meeting dates for 2019.*

COUNCIL DECISION

/19 Moved: Cr Seconded: Cr

CARRIED/LOST

12 KEY PILLAR 3 – ‘PERFORMANCE’ REPORTS

12.1 FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY (MAY 2019)

AUTHOR	Anthony Middleton – Manager Corporate & Community Services
DATE	Friday, 7 June 2019
FILE NO	FM.FNR.2
ATTACHMENT(S)	12.1.1 – May 2019 Monthly Financial Statements

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2021 +”
Key Pillar	Community Outcomes	Corporate Actions
KP – 3 Performance	3.4 – Be organised and transparent with our financial management.	3.4.1 - Increase regularity of readable financial reporting to the community. 3.4.2 – Act with sound long-term and transparent financial management and deliver residents considered value for money.

DECLARATION OF INTEREST

Nil.

SUMMARY

The purpose of this report is to note the Monthly Financial Statements for the period ending 31 May 2019.

BACKGROUND

In addition to good governance, the presentation to the Council of monthly financial reports is a statutory requirement, with these to be presented at an ordinary meeting of the Council within two (2) months after the end of the period to which the statements relate.

COMMENT

The attached Statement of Financial Activity for the period 1 July 2018 to 31 May 2019 represents eleven (11) months, or 92% of the year.

The following items are worthy of noting:

- Closing surplus position of \$352,378;
- Operating results:
 - 84% of budgeted operating revenue has been received; and
 - 94% of budgeted operating expenditure spent;
- Capital expenditure achieved 50% of budgeted projects;
- The value of outstanding rates equates to 5.3% of 2018/2019 rates raised;

- Cash holdings of \$4.432m of which \$3.45m is held in cash backed reserve accounts; and
- Page 9 & 10 of the statements detail major variations from year to date (amended) budgets in accordance with Council Policy 2.1.6. Attention is raised to the road maintenance sub program, currently running at 102% of total year's budget or \$144,705 above year-to-date budget estimates;

CONSULTATION

Nil.

STATUTORY REQUIREMENTS

Regulation 34 of the *Local Government (Financial Management) Regulations 1996* sets out the basic information which must be included in the monthly reports to Council.

POLICY IMPLICATIONS

Council Policy 2.1.6 defines the content of the financial reports.

FINANCIAL IMPLICATIONS

This item reports on the current financial position of the Shire. The recommendation does not in itself have a financial implication.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications for this report.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications for this report.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil.

VOTING REQUIREMENTS

Simple Majority.

OFFICER RECOMMENDATION

That the monthly financial statements for the period 1 July 2018 to 31 May 2019, as attached, be noted.

COUNCIL DECISION

/19 Moved Cr , seconded Cr

CARRIED/LOST

12.2 MONTHLY PAYMENTS LISTING

AUTHOR	Melissa Binning – Finance Officer
DATE	Tuesday, 4 June 2019
FILE NO	FM.AUT.1
ATTACHMENT	<i>12.2.1 – Monthly Payment Listing 01/05/2019 to 31/05/2019 Due to the change of meeting date, this attachment will not be available until Monday 10 June 2019</i>

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2021 +”
Key Pillar	Community Outcomes	Corporate Actions
KP 3 - Performance	3.4 – Be organised and transparent with our financial management.	3.4.1 - Increase regularity of readable financial reporting to the community. 3.4.2 – Act with sound long-term and transparent financial management and deliver residents considered value for money.

DECLARATION OF INTEREST

Nil

SUMMARY

To receive the list of payments covering the month of May 2019.

BACKGROUND

Not applicable.

COMMENT

The attached list of payments is submitted for receipt by the Council.

Any comments or queries regarding the list of payments is to be directed to the Manager of Corporate Services prior to the meeting.

CONSULTATION

No consultation was required.

STATUTORY REQUIREMENTS

Regulation 12(1)(a) of the *Local Government (Financial Management) Regulations 1996* provides that payment may only be made from the municipal fund or trust fund if the Local Government has delegated the function to the Chief Executive Officer.

The Chief Executive Officer has delegated authority to authorise payments. Relevant staff have also been issued with delegated authority to issue orders for the supply of goods and services subject to budget limitations.

Regulation 13 of the *Local Government (Financial Management) Regulations 1996* provides that if the function of authorising payments is delegated to the Chief Executive Officer then a list of payments is to be presented to the Council at the next ordinary meeting and recorded in the minutes.

POLICY IMPLICATIONS

Council's Policy 2.1.2 provides authorisations and restrictions relative to purchasing commitments.

FINANCIAL IMPLICATIONS

All payments made in line with Council Policy.

STRATEGIC/CORPORATE IMPLICATIONS

There are no strategic/corporate implications involved with presentation of the list of payments.

RISK MANAGEMENT IMPLICATIONS

A control measure to ensure transparency of financial systems and controls regarding creditor payments.

ASSET MANAGEMENT PLAN IMPLICATIONS

There are no asset management implications for this report.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Refer to the VROC Strategic Plan

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That in accordance with Regulation 13 (1) of the *Local Government (Financial Management) Regulations 1996*, the list of payments as attached made under delegated authority:

FROM – 1 May 2019		TO – 31 May 2019
Municipal Cheques	14121 – 14128	\$30,275.48
EFTs	23579 – 23825	\$513,768.47
Direct Debits		\$577,975.96
Total		\$1,122,019.91

be received.

COUNCIL DECISION

/19 Moved Cr , seconded Cr

CARRIED/LOST

13 KEY PILLAR 4 – ‘PROSPERITY’ REPORTS

13.1 REQUEST TO VARY DEVELOPMENT APPROVAL PLAN FOR MOTEL UNITS AND PROVIDE UNIVERSAL ACCESSIBLE ACCOMMODATION UNIT.

AUTHOR	Phil Shephard – Town Planner
DATE	Monday, 4 June 2019
FILE NO	A6411 & A6429
ATTACHMENT(S)	<p>13.1.1 - Applicant’s Letter</p> <p>13.1.2 - Approved Site Plan</p> <p>13.1.3 - Unit Floor Plan</p> <p>13.1.4 - Aerial View of House & Unit</p>

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2021 +”
Key Pillar	Community Outcomes	Corporate Actions
KP4 – Prosperity	4.1 Be providing business assistance for growth in small local industry. 4.2 Be attracting support industries and diverse and new business sectors to the region.	Amend TPS to encourage economic development and private investment. Drive population growth through the support of local industry, development of new industry and promotion of Kojonup’s point of difference.

DECLARATION OF INTEREST

Nil.

SUMMARY

To consider a request from the landowners to vary a condition of development approval for some recently approved motel units on the above property. The variation would allow:

- The previously approved universal access motel unit on Lot 12 to be used as a standard motel unit; and
- Allow for a purpose-built universal access motel unit on adjoining Lot 13 (purchased by the applicant).

The recommendation is to support the request.

BACKGROUND

Council at its 19 June 2018 meeting (Resolution 72/18) considered the original application and resolved to approve the development subject to a number of conditions including:

- b) *A maximum of eight (8) single-room accommodation units and one (1) office/storeroom is permitted.*

Council at its 16 October 2018 meeting (Resolution 128/18) considered a request to vary the original approval and resolved as follows:

- b) *A maximum of nine (9) single-room accommodation units is permitted.*

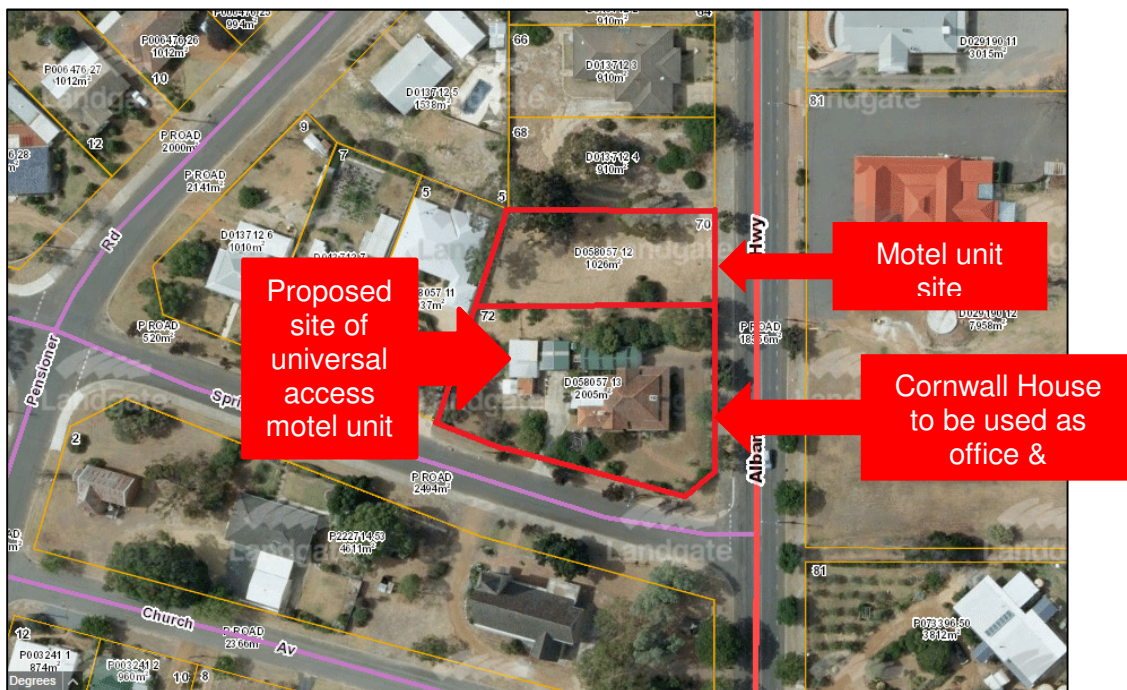
COMMENT

The landowners have purchased Lot 13 (Cornwall House to the south) of the original approved development on Lot 12 for which they have sought approval from the WA Planning Commission to amalgamate. Consequently, the landowners have now submitted a further request to amend the development (copy attached) and seek approval to now utilise the approved universal access motel unit on Lot 12 as a standard motel unit and develop a purpose-built universal access motel unit on Lot 13.

The result is that there would be a total of 10 motel units being 9 standard motel units and 1 universal access motel unit.

As the landowners/applicant intends to amalgamate the properties, the proposal will ultimately (when the amalgamation is completed) result in all the development being on 1 combined lot. At this stage, the proposal requires that Council both vary the existing development approval for Lot 12 and grant development approval for Lot 13.

The applicant advises that the new universal access motel unit (6m x 3m) has been specifically designed and constructed to the relevant regulations and better meets the needs of universal access and guests. The unit to be constructed at the rear of Lot 13 (behind Cornwall House) will have adjoining parking and provide easy access to the administration office and managers residence. The unit will be clad in the same materials and will have a small verandah like the other approved units.



The *Planning and Development (Local Planning Schemes) Regulations 2015* (c.77) ‘Amending or cancelling development approval’ allows the Council to consider requests from landowners to amongst other things, amend or delete, any condition to a development approval. The Council may either approve the request with or without conditions or may refuse the request.

The proposed changes are considered generally consistent with the intent of the original approval and are relatively minor and can be supported.

Town Planning Scheme No. 3 controls

The proposed new universal access motel unit on Lot 13 complies with the definition of Motel under TPS3 which is described as:

Motel - means land and a building or buildings used or intended to be used to accommodate patrons, including holiday makers and travellers, for temporary periods in a manner similar to a hotel but with separate bathing and toilet facilities for each suite and in which special provision is made for the accommodation of patrons with motor vehicles and includes holiday flats and chalets;

The Motel land use is an AA discretionary land use within the Commercial Zone under TPS3 which means the Council may, at its discretion, permit the use.

TPS3 requires that all development comply with the relevant development standards in Table II – Development Table unless a variation is approved by Council. The development standards that apply to a Motel development are shown in the table below:

Minimum Boundary Setback (m)			Maximum Plot Ratio	Minimum Landscaped Area (%)	Minimum Number of Car Parking Bays
Front	Rear (Average)	Side			
9	7.5	3 per storey	1.0	30	1 per unit, plus 1 space per 25m ² of service area

Setbacks

The proposed units achieve all the minimum boundary setbacks.

Plot Ratio

The new motel unit will add only 0.008 to the existing plot ratio on the site and much less than the 1 allowed.

Landscaping

The applicant has committed to landscaping around the new motel unit to blend in with the existing garden/landscaping around Cornwall House.

Car Parking

The new motel unit will have a designated parking bay adjoining the unit. This achieves the minimum number of car parking bays required.

As the property fronts Albany Highway which is partly controlled by Main Roads WA through the Kojonup townsite, their comments have been sought on any requirements for the proposed new driveway and sign. They have concerns regarding large trailers/boats parking on-site and the potential use of Albany Highway for parking. They have indicated that they may seek an entrance only off Albany Highway and exit via Spring Street as a condition of the proposed property amalgamation. Staff have met with the WA Planning Commission to discuss their concerns and seek a resolution.

Access to the new universal access unit is expected to be an extension of the existing driveway access from Lot 12, rather than a separate access of Spring Street, and it is expected that the result maybe as Main Roads WA desire.

As the proposal adjoins land at the rear of the site along Pensioner Road that is zoned Residential, TPS3 requires the Council consider the following scheme provision in assessing the application:

5.8 DEVELOPMENT ON LAND ABUTTING A RESIDENTIAL ZONE

In determining an Application for Planning Consent relating to any non-residential development on land abutting a Residential Zone the Council may;

- a) assess the proposed development for conformity with such standards as the Council considers necessary to address the potential nuisance of the proposed development on the residential areas; and,*
- b) impose such conditions considered by the Council to be necessary to ameliorate the impact of the proposed development on residential areas.*

The proponent has committed to ensuring the development is functional and made attractive with boundary fencing, landscaping and on-site vehicle parking and will comply with all relevant standards.

TPS3 Considerations

The *Planning and Development (Local Planning Schemes) Regulations 2015* (c.67) requires the Council in considering an application for development approval including when considering the variation and/or deletion of a condition of development approval have regard to those matters relevant to the application from the list. Those relevant matters are discussed in the table below:

Matter to be Considered	Response
(a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;	The proposal is considered consistent with the objectives for the TPS3 (c.1.6) and Commercial Zone (c.3.2.3).

<p>(b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> or any other proposed planning instrument that the local government is seriously considering adopting or approving;</p>	<p>The proposal can achieve the required development standards and is considered consistent with the orderly and proper planning of this area in Kojonup. The Council has received a request from the landowner to modify the site plan. The Council under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> may vary or delete any condition of development approval.</p>
<p>(k) the built heritage conservation of any place that is of cultural significance;</p>	<p>The motel units will adjoin Cornwall House which is contained on the Shire’s Municipal Inventory for its cultural heritage values. The proposal will not adversely affect the heritage values of the adjoining site.</p>
<p>(l) the effect of the proposal on the cultural heritage significance of the area in which the development is located;</p>	<p>The proposal will not adversely affect the heritage values of the area.</p>
<p>(m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;</p>	<p>The proposed universal access motel unit will be compatible in height, bulk, scale and appearance with the other approved motel units and other similar structures in the commercial areas in Kojonup.</p>
<p>(n) the amenity of the locality including the following- (i) environmental impacts of the development; (ii) the character of the locality; (iii) social impacts of the development;</p>	<p>The proposal is not expected to negatively impact on the environment, character or amenity of this commercial locality.</p>
<p>(q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;</p>	<p>The land is considered suitable for the proposed development.</p>

(r) the suitability of the land for the development taking into account the possible risk to human health or safety;	The proposal is not considered to increase risk to human health or safety.
(s) the adequacy of - (i) the proposed means of access to and egress from the site; and (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;	See comments in report.
(t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;	See comments in report.
(u) the availability and adequacy for the development of the following - (i) public transport services; (ii) public utility services; (iii) storage, management and collection of waste; (iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities); (v) access by older people and people with disability;	The new motel unit is specially designed for universal access and achieves the minimum requirements for the National Construction Code

Conclusion

The proposed changes to the original site plan and approval of the new universal access motel unit are consistent with the intent of Council’s previous approvals and should be supported.

The completion of the amalgamation is considered important to ensure that the development is consolidated onto 1 property and a condition and some advice notes are recommended to facilitate the developments at this stage are on 2 lots.

Alternate Options

The Council has several options available to it, which are discussed below:

1 Refuse the request

The Council can choose to refuse the request and/or application. If refused, the Council need to provide grounds for not supporting the request.

2 Approve the request

The Council can choose to approve the request and/or application, in part or whole, and with or without conditions.

3 Defer the proposal

The Council can choose to defer the matter for a period of time and seek additional information from the proponent, if deemed necessary to complete the assessment, before proceeding to make a decision.

The decision of the Council is a reviewable determination under the *Planning and Development (Local Planning Schemes) Regulations 2015* (c.76) 'Review of decisions' and the landowner may apply to the State Administrative Tribunal for a review of the decision and/or condition made by the Council.

CONSULTATION

Nil required.

STATUTORY REQUIREMENTS

Planning and Development Act 2005 and *Planning and Development (Local Planning Schemes) Regulations 2015* - This application is required to be determined in accordance with the requirements of Town Planning Scheme No. 3 which is an operative local planning scheme under the Act.

Building Act 2011 – the motel development must comply with the National Construction Code requirements for Class 3 buildings.

POLICY IMPLICATIONS

There are no Council planning policies relevant to this report.

FINANCIAL IMPLICATIONS

The proponent must pay the development application fee of \$295 as set down in the adopted 2018/19 List of Fees and Charges.

RISK MANAGEMENT IMPLICATIONS

Risk Description	Risk Likelihood	Risk Consequence	Risk Classification	Risk Treatment
Council does not support the request and/or application	Unlikely (D)	Minor (2)	Low	Managed by routine procedures, unlikely to need specific application of resources

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications relevant to this report.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) STRATEGIC PLAN IMPLICATIONS

Southern Link VROC Strategic Directions 2015-2020
Nil.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council:

- 1) Approve the request and alter the approved new site plan to show Unit 1 as a standard motel unit on No. 70 (Lot 12) Albany Highway, Kojonup.
- 2) Grant development approval for the new universal access motel unit on No. 72 (Lot 13) Albany Highway/Spring Street, Kojonup subject to the following conditions/advice:
 - a) The lots being amalgamated to the satisfaction of the Chief Executive Officer (confirmation of the Landgate dealing number or similar) prior to the Building Permit being issued for the new unit.
 - b) The development to be generally consistent with the attached stamped approved plan and where marked in red, unless a variation has been approved in writing by the Chief Executive Officer.
 - c) A maximum of 1 universal access accommodation unit is permitted.
 - d) The building to be repainted in a pastel colour/tone and include a verandah to match the existing units on Lot 12.
 - e) The provision of 1 on-site parking bay suitable for the patron's vehicles to the satisfaction of the Chief Executive Officer. No parking of patron's vehicles is permitted on the road verge or adjoining land.
 - f) Any new access/egress crossover point onto Spring Street to be sited, designed and constructed to the satisfaction of the Shire of Kojonup and/or onto Albany Highway in consultation with Main Roads WA.
 - g) The accommodation unit to be connected to the Water Corporation deep sewer and water supply networks.
 - h) All stormwater to be retained and/or disposed of or reused on-site.
 - i) The site to be landscaped including shade trees and vegetation between the buildings and boundaries in accordance with a Landscaping Plan to be submitted for approval by the Chief Executive Officer.
 - j) The provision of a 1.8m high screen fence along the side boundaries at the proponent's cost.
 - k) The proponent to prepare a bushfire management plan and/or evacuation plan to achieve compliance with the WA Planning Commission's State Planning Policy 3.7 'Planning in Bushfire Prone Areas' to the satisfaction of the Chief Executive Officer in consultation with the Department of Fire and Emergency Services.

Advice Notes:

- a) The placement of the unit and construction of the verandah addition requires a separate Building Permit to be obtained prior to any works commencing.*
- b) A Demolition Permit may also be required to be obtained prior to any sheds or structures being removed from Lot 13 to facilitate the development.*
- c) The applicant is encouraged Applicant is encouraged to liaise with their Registered Building Surveyor Contractor to ensure that the proposed position of the new unit and access to common areas can achieve the minimum requirements of the National Construction Code.*
- d) The provision of a rubbish service for the proposal will need to be negotiated through the Shire.*
- e) It is important that the accommodation unit and patrons are properly managed to ensure there is no disruption or adverse impacts on the surrounding properties.*
- f) The applicant making arrangements to the satisfaction of the Environmental Health Officer for a rubbish storage area (i.e. bin enclosure) and collection service.*

COUNCIL DECISION

/19 Moved Cr , seconded Cr

CARRIED/LOST/

14 KEY PILLAR 5 – ‘DIGITAL’ REPORTS

Nil

15 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

16 NEW BUSINESS

17 CONFIDENTIAL REPORTS

Nil

18 NEXT MEETING

Tuesday, 23 July 2019 commencing at 3:00pm.

19 CLOSURE

There being no further business to discuss, the President thanked the members for their attendance and declared the meeting closed at pm.

20 ATTACHMENTS (SEPARATE)

Item 7	7.1.1	Minutes of the Ordinary Council Meeting held 21 May 2019
Item 11.1	11.1.1	Minutes for the Natural Resource Management Committee meeting 6 December 2019.
Item 12.1	12.1.1	Financial Management – Monthly Statement of Financial Activity (May 2019)
Item 12.2	12.2.1	Monthly Payments Listing 1/5/2019 to 31/5/2019
Item 13.1	13.1.1	Applicant’s Letter
	13.1.2	Approved Site Plan
	13.1.3	Unit Floor Plan
	13.1.4	Aerial View of House & Unit